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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 ELLIOTT D. GOODIN,

8 Plaintiff,

9 v.

10 DR. GREGORY BAHDER, and
11 MURIAL SNYDER,

12 Defendants.

NO: 2:16-CV-0334-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

13 On March 15, 2017, Plaintiff was ordered to file a Fourth Complaint within
14 60 days. ECF No. 9. Plaintiff is proceeding *pro se* and *in forma pauperis*. See
15 ECF No. 4.

16 Plaintiff was cautioned that his failure to amend within 60 days would result
17 in the dismissal of this case. ECF No. 9 at 7-8. Although granted the opportunity
18 to do so, Plaintiff has now failed to amend his complaint to include sufficient facts
19 to establish federal subject-matter jurisdiction. See *Broughton v. Cutter*
20 *Laboratories*, 622 F.2d 458, 460 (9th Cir. 1980) (citations omitted).

1 Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken *in forma*
2 *pauperis* if the trial court certifies in writing that it is not taken in good faith.” The
3 good faith standard is an objective one, and good faith is demonstrated when an
4 individual “seeks appellate review of any issue not frivolous.” *See Coppedge v.*
5 *United States*, 369 U.S. 438, 445 (1962). For purposes of 28 U.S.C. § 1915, an
6 appeal is frivolous if it lacks any arguable basis in law or fact. *Neitzke v. Williams*,
7 490 U.S. 319, 325 (1989).

8 The Court finds that any appeal of this Order would not be taken in good
9 faith and would lack any arguable basis in law or fact. Accordingly, the Court
10 hereby revokes Plaintiff’s *in forma pauperis* status.


11 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 12 1. Plaintiff’s Complaint is **DISMISSED without prejudice** for failure to
13 state a claim under 28 U.S.C. §1915(e)(2)(B).
14 2. Plaintiff’s *in forma pauperis* status is **REVOKED**.

15 The District Court Executive is directed to enter this Order, enter judgment of
16 dismissal without prejudice, forward a copy to Plaintiff, and **CLOSE** the file.

17 DATED May 17, 2017.




THOMAS O. RICE
Chief United States District Judge